JCO3 Rec'd PCT/PTO 02 MAY 2009

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## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

ATTORNEY'S DOCKET NUMBER 40306/GM/lp

U.S. APPLICATION **CONCERNING A SUBMISSION UNDER 35 U.S.C. 371** Still unknown INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED INTERNATIONAL APPLICATION NO. NOVEMBER 5, 2002 OCTOBER 24, 2003 PCT/EP2003/0011823 TITLE OF INVENTION POSITIVE IDENTIFICATION DEVICE, PARTICULARLY FOR HOSPITAL HEALTH TECHNOLOGY APPLICANT(S) FOR DO/EO/US Michele RUBERTELLI - Marco ROSSI Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items 3. (5), (6), (9) and (21) indicated below. X The US has been elected (Article 31). X A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). 7. [X] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. 🗶 An Information Disclosure Statement under 37 CFR 1.97 and 1.98. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 12. 🗶 13. 🗶 A preliminary amendment. An Application Data Sheet under 37 CFR 1.76. A substitute specification. A power of attorney and/or change of address letter. 16 A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 17. I A second copy of the published International Application under 35 U.S.C. 154(d)(4). 18. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 19. Other items or information: Redrafted claims 26-50 and new abstract of the disclosure for entering the preliminary amendment. 20. X

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mall Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Page 1 of 2

## JC14 Rec'd PCT/PTO 02 MAY 2005

PTO-1390 (Rev. 02-2005) Approved for use through 3/31/2007. OMB 0651-0021

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. ATTORNEY'S DOCKET NUMBER INTERNATIONAL APPLICATION NO. U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 40306/GM/lp PCT/EP2003/0011823 Still unknown PTO USE ONLY CALCULATIONS The following fees have been submitted 300.00 Basic national fee.....\$300 21. Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of \$ 200.00 All other situations.....\$200 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 500.00 S All other situations...... 1000.00 \$ TOTAL OF 21, 22 and 23 = Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. RATE Number of each additional 50 or fraction Extra Sheets Total Sheets thereof (round up to a whole number) x \$250 - 100 = /50 = Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(h)). \$ NUMBER EXTRA RATE NUMBER FILED CLAIMS x \$ 50 250.00 \$ 25 - 20 = 5 Total claims \$ x \$200 - 3 = Independent claims \$360 \$ MULTIPLE DEPENDENT CLAIM(S) (if applicable) 1250.00 \$ TOTAL OF ABOVE CALCULATIONS = Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. 625.00 \$ SUBTOTAL = Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(i)). TOTAL NATIONAL FEE = \$ 625.00 Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied 40.00 by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property TOTAL FEES ENCLOSED = \$ 665.00 Amount to be \$ refunded: Amount to be \$ charged: \_\_\_ to cover the above fees is enclosed. A check in the amount of \$ \_ 13-3860 in the amount of \$ 665.00 to cover the above fees. X Please charge my Deposit Account No. A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3860 . A duplicate copy of this sheet is enclosed c. 🗶 . A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: MODIANO & ASSOCIATI SIGNATURE Via Meravigli, 16 20123 MILANO - ITALY **Guido MODIANO FUROPE** NAME Phone: +39 02 85907777

19,928

REGISTRATION NUMBER

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Milan, Italy - April 29, 2005

## JC14 Rec'd PCT/PTO 02 MAY 2005

## MODIANO, JOSIF, PISANTY & TAUB

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Milan, Italy - April 29, 2005

U.S. Patent Application in the name RE: New of Michele RUBERTELLI et al to be filed as confirmation of application No. PCT/EP2003/0011823 of October 24, 2003

Agent's docket: 40306/GM/lp

Hon.

COMMISSIONER OF PATENTS AND TRADEMARKS

**MAIL STOP: P.C.T.** 

WASHINGTON 20231 D.C. - U.S.A.

Sir,

Applicant desires processing of the above International Application in the national U.S. phase under P.C.T..

This is to enclose:

- Transmittal letter in duplicate; Authorization (Form PTO-1390) to collect US \$ 665.00;
- Assignment to Luca RUBERTELLI et al; + Recordation Form cover sheet (6 pages);
- 3) Specification and claims with combined declaration and power of attorney duly signed on April 29th, 2005 and attached thereto for the above Patent Application;
- 4) Four formal drawings accompanying the specification;
- Preliminary Amendment with new claims 26 to 50 and new abstract of the disclosure;

We further enclose the following documents:

- 6) Notification of the International Application Number and of the International Filing Date; + Copy of the Request;
- Notification concerning submission or transmittal of Priority Document;
- Notification of transmittal of the International Search Report or the Declaration;

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+ International Search Report and cited references;

+ Information Discil Statement under 37 CFR 1.97(b);



- 9) Copy of publication of International Application published under P.C.T.;
- 10) Notice informing the Applicant of the communication of the International Application to the designated offices.

The priority date of the Italian Patent Application N. VR2002A000112 of November 5, 2002 is respectfully claimed. The Certified Copy thereof was duly submitted at WIPO on Novembre 27, 2003.

Please place of record in the file the enclosed papers and kindly acknowledge receipt thereof.

Will you please collect <u>immediately</u> the credit specified in the deposit account order, so as to allow the Application to receive an earliest filing date, however within:

MAY 5, 2005.

Thanking you in advance,

Respectfully submitted

Guido MODIANO (Reg. No. 19,928)